

REMARKS

Favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Claims 1-21 and 27-42 are cancelled without prejudice.

Claim 23 is amended so as to be limited to the elected species.

Claim 22 has been rewritten in independent form including the subject matter of claim 14.

Claims 22-26 have been amended with respect to their dependency upon new independent claim 22.

Claims 24 and 26 are retained since the compounds are encompassed within the elected Group II, i.e. the compounds of formula (I), as discussed with the Examiner on June 24, 2004. See for example pages 20-30 of the specification, particularly page 20, line 13 and page 24, line 21, which teach compounds of formula (I) having an oxadiazole group and a tetrazole group as R¹.

In view of the foregoing, it is respectfully submitted that the amended claims are directed to elected subject matter, and that the sole ground of objection set forth in the action has been overcome. Accordingly, reconsideration and allowance is solicited.

In item 12 of the last Action, it is noted that the Examiner has failed to acknowledge the claim for foreign priority, and has failed to acknowledge that copies of the certified priority documents have been received in this national stage application. Acknowledgment is respectfully requested.

Respectfully submitted,
Mami OJIMA et al.

By: *Warren Cheek Jr.*
Warren M. Cheek, Jr.
Registration No. 33,367
Attorney for Applicants

WMC/dlk
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
July 13, 2004